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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,818	03/21/2000	Christopher R Hammond	13DV13576	7281
30540	7590	10/25/2004	EXAMINER	
WILLIAM SCOTT ANDES GE TRANSPORTATION ONE NEUMANN WAY CINCINNATI, OH 45215-6301			JARRETT, RYAN A	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/531,818

Applicant(s)

HAMMOND ET AL.

Examiner

Ryan A. Jarrett

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/3/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7, 8, 10, 12, and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Horejsi et al. U.S. Patent No. 5,239,487. For example, Horejsi discloses a method for distributing information concerning recommended steps for repairing a part, comprising: using a computer network to receive at a first location a request for a recommended repair sequence of steps for repairing the part, the request originating at a second location that is remote from the first location; causing an input screen to be displayed at the second location to collect information about the recommended repair sequence of steps for repairing the part; processing, at the first location, the request to produce the recommended repair sequence of steps for repairing the part; and using the computer network to convey from the first location to the second location a response that includes the recommended repair sequence of steps for repairing the part (e.g., col. 5 lines 3-16, col. 5 lines 46-57, col. 6 lines 1-6; col. 9 lines 17-37, col. 10 line 60 – col. 11 line 6, col. 12 line 15 – col. 13 line 24

wherein said processing includes using a decision tree for use in determining the recommended repair sequence of steps; wherein the decision tree includes a decision

node, said method further comprises determining if a first sequence of steps or a second sequence of steps is part of the recommended repair sequence of steps based on the decision node; receiving the decision tree from a remote location relative to the digital computer (e.g., col. 3 line 46 – col. 4 line 32, col. 12 line 43 – col. 13 line 24);

wherein said processing includes calculating a value associated with a step of the recommended repair sequence of steps; wherein said calculating includes using a data file (e.g., claim 9, claim 10);

wherein said network comprises one of the following: a local area network and a wide area network (e.g., Fig. 2);

permitting an expert to modify the decision tree (e.g., col. 10 lines 7-9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-6, 9, 11, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horejsi as applied to claims 1, 7, and 10 above, and further in view of Hart et al. U.S. Patent No. 6,295,525.

Horejsi does not explicitly disclose that said processing includes using a notes tree for providing error proofing directions for the recommended repair sequence of steps in the response or for providing best practices directions for the recommended

repair sequence of steps in the response. However, Hart discloses a method for transmitting a recommended repair sequence of steps over a network in response to a user request, including notes for providing best practices directions and error proofing directions for the recommended repair sequence of steps (e.g., Fig. 5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Horejsi with Hart in order to warn and caution the operator/repair technician, and to prevent injury to the operator, as taught by Hart.

Horejsi does not explicitly disclose that said processing includes using a tree structure that is in the form of a spreadsheet; that said calculating includes using a data file that is in the form of a spreadsheet; or conveying the request and response in the form of a spreadsheet. However, Hart discloses a method for transmitting a recommended repair sequence of steps over a network in response to a user request. The user interacts with a base application through a computer interface, and the base application in turn communicates with an agent and a computational resource that determine faults/repair strategies based on user-inputted symptoms. The base application of Hart can be a spreadsheet (e.g., col. 2 lines 50-67, col. 4 lines 24-51, col. 5 lines 6-19, col. 5 line 53 – col. 6 lines 20, col. 8 lines 36-67, col. 12 lines 28-34, Fig. 3, Fig. 5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Horejsi with Hart since a spreadsheet program allows a user to easily input data and to view data on a computer screen. Additionally, spreadsheet programs have many well-known advantageous computational capabilities.

Horejsi does not explicitly disclose that the computer network includes the World Wide Web. However, Hart discloses a method for transmitting a recommended repair sequence of steps over the World Wide Web in response to a user request (e.g., col. 12 lines 32-57). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Horejsi with Hart since the World Wide Web easily enables information to be requested and retrieved from virtually anywhere.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2125

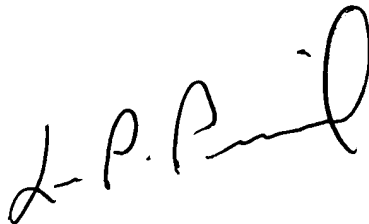
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan A. Jarrett whose telephone number is (571) 272-3742. The examiner can normally be reached on 10:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan A. Jarrett
Examiner
Art Unit 2125

10/18/04

A handwritten signature in black ink, appearing to read "L. P. Picard", with a stylized flourish at the end.

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100